

**Notice of Allowability**

Application No.

10/029,347

Applicant(s)

FEDER ET AL.

Examiner

Art Unit

Nashaat T. Nashed, Ph. D.

1652

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 4/20/04.
2. ☒ The allowed claim(s) is/are 24-30, 34-37 and 45.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☒ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 4/20/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

Nashaat T. Nashed, Ph. D.  
Primary Examiner  
Art Unit: 1652

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The application has been amended as requested in the communication filed April 20, 2004. Accordingly claims 24, 34, 35, and 37 have been amended, and claims 31, 32, and 38-44 have been canceled.

Claims 24-30, and 33-37 are pending and under consideration.

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Stephen C. Davis on May 10, 2004.

The application has been amended as follows:

Claim 24. An isolated nucleic acid molecule consisting of a polynucleotide sequence selected from the group consisting of:

(a) an isolated polynucleotide encoding a polypeptide [corresponding to] consisting of amino acids 1 to 625 of SEQ ID NO: 2;

(b) an isolated polynucleotide encoding a polypeptide [corresponding to] consisting of amino acids 2 to 625 of SEQ ID NO: 2;

(c) an isolated polynucleotide encoding the HLRRSI1 a polypeptide as encoded by the cDNA clone contained in ATCC Deposit No: PTA-2679;

(d) an isolated polynucleotide encoding the HLRRSI1 a polypeptide as encoded by the cDNA clone contained in ATCC Deposit No: PTA-2674; and

(e) [(f)] an isolated polynucleotide which is [represents] the complementary sequence of (a), (b), (c), and (d)[, and (e)].

Claim 33. The isolated nucleic acid molecule of claim 24, wherein said polynucleotide is (e)[(f)].

Claim 34. A recombinant [vector] nucleic acid molecule consisting of the isolated nucleic acid molecule of claim 24 operably linked to a promoter.

Claim 35. A recombinant host cell comprising the vector of claim 45.

Claim 37. An [The] isolated [polynucleotide] nucleic acid molecule consisting of the nucleic acid molecule of claim 24 [wherein said nucleic acid sequence comprises] fused to a heterologous nucleic acid sequence, wherein said heterologous nucleic acid sequence encodes the Fc domain of immunoglobulin.

(New) Claim 45. A vector comprising the nucleic acid molecule of claim 34 or claim 37.

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Claims 24-30, 33-37 and 45 are allowed.

New corrected drawings are required in this application because the drawing filed December 20, 2001 are of low quality. In particular, Figures 3 and 4 have background, which mask the intended illustrations. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nashaat T. Nashed, Ph. D. whose telephone number is 571-272-0934. The examiner can normally be reached on MTTF.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ponnathapura Achutamurthy can be reached on 571-272-0928. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
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